

## Methamphetamine Reporting Act

### Michigan State Police Methamphetamine Investigation Team

#### Introduction

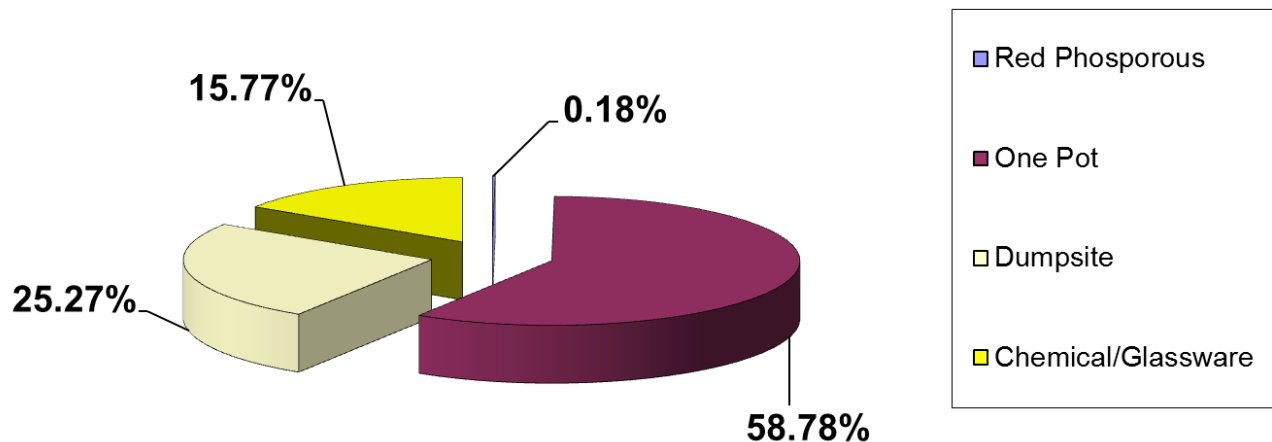
This report is pursuant to Public Act 262 of 2006, Section 3, which requires the Michigan State Police to report to the Michigan legislature trends in methamphetamine manufacture, use, and production and to provide recommendations of possible solutions to methamphetamine problems.

#### Trends in Methamphetamine Manufacture

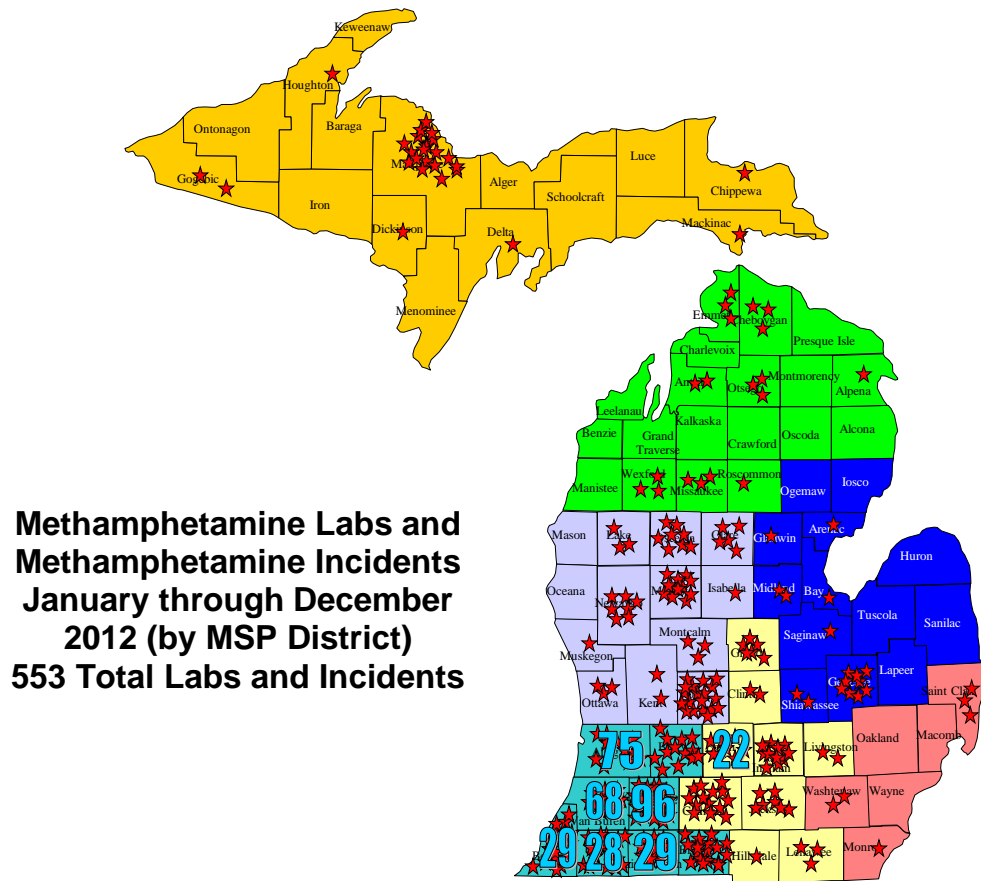
In calendar year 2012, there were 325 methamphetamine laboratories seized, an increase from 254 in 2011. Methamphetamine-related complaints, including laboratories, dump sites, and glassware seizures totaled 760 in 2010, 525 in 2011, and 553 in 2012. Indications at each methamphetamine investigation determined the manufacturing process used. The most common method used in 2012 was the “one-pot” method of manufacture.

A continuing trend in methamphetamine manufacture in Michigan is the rise of the “one-pot” cooking method, in which ammonia is extracted from either ammonium sulfate or ammonium nitrate during the manufacturing process. The ease of manufacture has replaced the prevalence of other production methods and is responsible for the apparent decrease in other types of lab seizures. The one-pot method poses additional dangers due to the increased possibility of explosion or fire from volatile precursor materials combined in one container.

### 2012 MSP Meth Incident Types



Most methamphetamine labs in Michigan are discovered in the southwest part of the state. The following map shows approximate locations of methamphetamine labs seized in 2012.



### Trends in Distribution

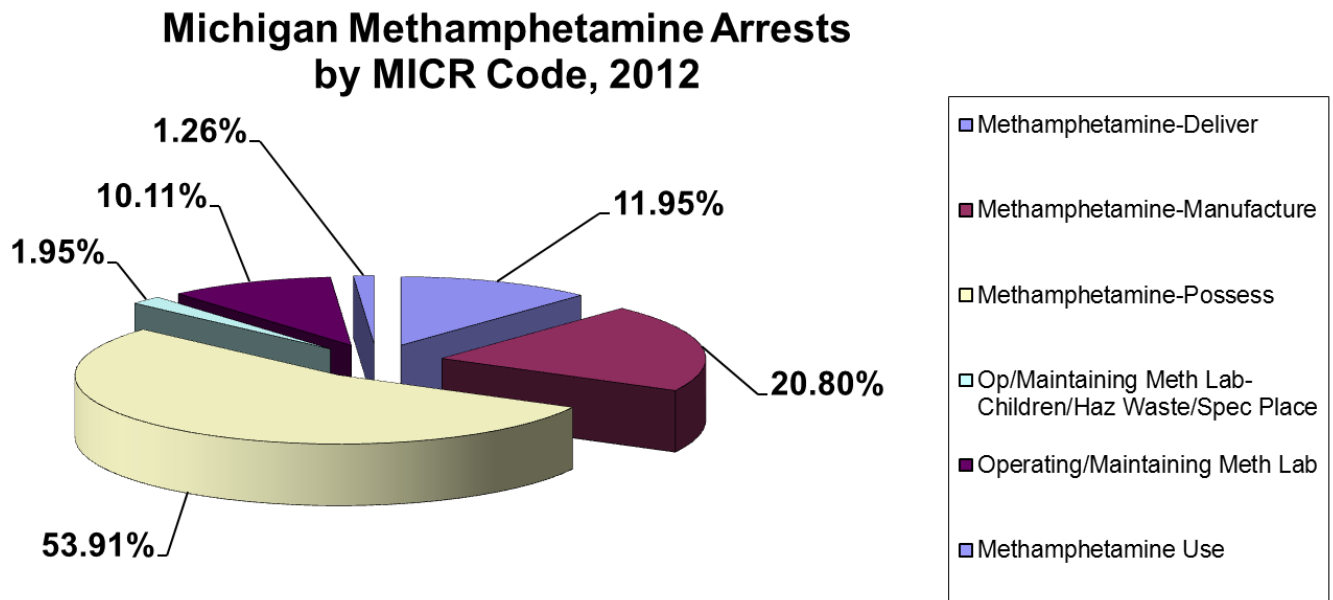
Most methamphetamine laboratories in Michigan are considered “personal-use” labs, based on the limited production capacity of the labs and the method of manufacture. Subjects involved with such labs produce methamphetamine for their own consumption or for limited distribution among close associates. Some methamphetamine is smuggled into the state for sale from large-scale methamphetamine distribution operations in the western United States and Mexico. This methamphetamine is a highly-pure form known as “crystal methamphetamine” or “ice.” Crystal methamphetamine is often described as having the appearance of ice chips or shards of glass. Crystal methamphetamine is considered more pure and has a higher potency than methamphetamine produced in small methamphetamine operations. The Drug Enforcement Administration (DEA) laboratories define the purity thresholds for identifying crystal methamphetamine. DEA labs also test methamphetamine samples for purity. Michigan State Police forensic laboratories do not test submissions for purity but anecdotal reports from the labs indicate that a limited amount of crystal methamphetamine submissions were processed in 2012. This is based on samples that indicate an appearance consistent with more sophisticated manufacturing methods than are available in small-scale operations. Crystal methamphetamine

differs significantly in appearance from the granular, powdered methamphetamine produced in local Michigan methamphetamine labs. Michigan State Police incident reports from 2012 also indicate arrests of subjects involved in the sale of crystal methamphetamine acquired from out-of-state sources, which indicates a combination of locally-produced and imported methamphetamine available for sale in Michigan. Most seizures of crystal methamphetamine occur in southeastern metropolitan areas, where few personal-use laboratories are seized.

### **Trends in Methamphetamine Possession**

Methamphetamine possession charges are recorded in the Michigan Incident Crime Reporting (MICR) system. The Criminal Justice Information Center (CJIC) maintains records of arrest codes. When a subject is arrested for a drug crime, the crime is assigned a code designating the type of crime charged. There are specific charges for methamphetamine crimes including Methamphetamine Delivery, Methamphetamine Possession, Methamphetamine Manufacture, Operating/Maintaining a Meth Lab, Operating/Maintaining a Meth Lab Involving Hazardous Waste, Operating/Maintaining a Meth Lab in the Presence of a Minor, and Operating/Maintaining a Meth Lab Near a Specified Place (a church or school, for example).

Virtually any of these arrest codes may include the presence of methamphetamine at the crime scene, and it is possible that methamphetamine possession charges may be included under possession or manufacture of synthetic narcotics charges. It is therefore difficult to accurately isolate specific methamphetamine possession charges in 2012; however, MICR data shows 469 arrests for methamphetamine possession in 2012, 333 in 2011, and 289 in 2010. The total number of all methamphetamine arrest MICR codes reported by CJIC in 2012 was 870, up from 710 in 2011. The chart below shows 2012 MICR code methamphetamine charges by type.



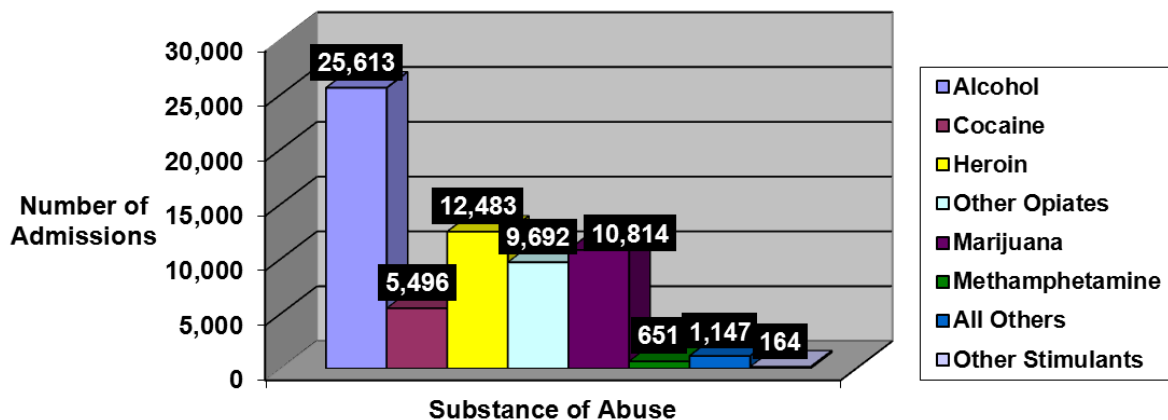
## **Trends in Methamphetamine Use**

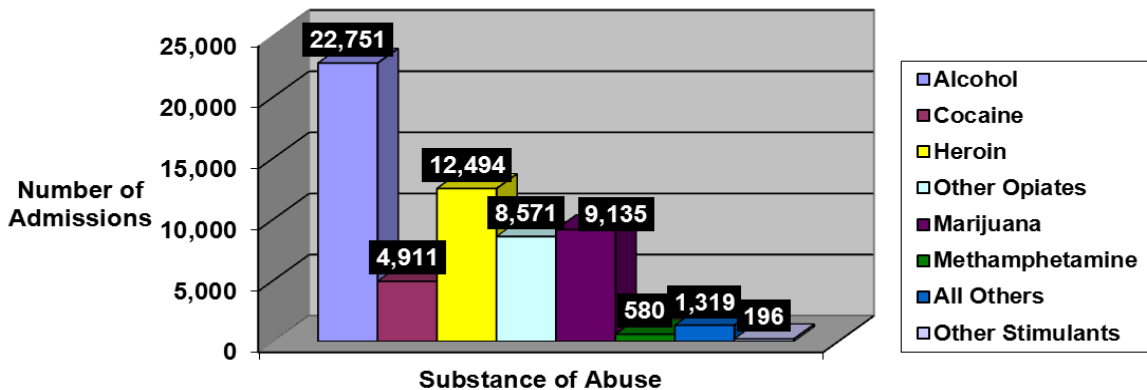
Methamphetamine use data is the most difficult reporting category to quantify since proof of use requires either individual drug testing or witnessing of drug use by law enforcement personnel. MICR arrest codes for methamphetamine use are seldom used since use is difficult to prove in court. Most potential use charges are filed as possession in order to assure prosecution. Thus, MICR data is an unreliable indicator of use trends in Michigan. Individual drug testing only occurs among specific populations, which are not always a good indicator of abuse trends among the general population. Many abusers only seek treatment when ordered to do so after arrest and sentencing and a large percentage of the abuser population seeks treatment in privately funded drug abuse treatment facilities. Michigan drug abuse treatment facilities that are privately funded are not required to report statistics on treatment admissions, but publicly funded treatment facilities keep and report admission data to the Michigan Department of Community Health (MDCH).

MDCH reports that in publicly funded drug treatment facilities in Michigan in 2012, there were 580 admissions for methamphetamine as primary drug of abuse. In 2011 there were 651 admissions for methamphetamine as primary drug of abuse, up from 596 in 2010.

According to MDCH, methamphetamine admissions in 2011 and 2012 represented less than one percent of drug abuse admissions overall, where methamphetamine was the primary drug of abuse. The following tables show 2011 and 2012 publicly-funded drug treatment admissions by primary drug of abuse. Many abusers are poly-drug users and will use methamphetamine along with other legal and illegal drugs.

**2011 Publicly-Funded Substance Abuse Treatment Facility Admissions  
by Primary Substance of Abuse**



**2012 Publicly-Funded Substance Abuse Treatment Facility Admissions  
by Primary Substance of Abuse**

Methamphetamine laboratory seizure statistics indicate that seizure of personal-use operations seem to be increasing in frequency. This is due to the proliferation of “one-pot” production methods and meth manufacturers’ ability to adapt to the challenges of acquiring precursor chemicals. Increased community awareness of the methamphetamine problem, the “Michigan Meth Watch” retailer awareness education program, and the recent prosecution and incarceration of repeat methamphetamine manufacture offenders had a positive effect on anhydrous ammonia theft and reduced the acquisition of precursor chemicals from Michigan sources.

Methamphetamine precursor legislation took effect December 15, 2005, which intended to make it more difficult for methamphetamine laboratory operators to acquire necessary chemicals. The “one-pot cook” method of manufacture seen recently in Michigan is an indication of the evolution of methamphetamine manufacturing methods in response to law enforcement pressure. The majority of “one-pot cook” labs are in the southwest corner of the state, which seems to indicate that local producers communicate with each other and that trends in methamphetamine production are regional. In recent years Michigan has seen laboratory seizures spread northward from the southwest area of the state, particularly throughout northern Michigan and now across the Upper Peninsula.

The enforcement of methamphetamine laws in Michigan include investigation, seizure, processing, and removal of gross contamination at methamphetamine laboratories. Gross contamination removal alone averages \$1,800 per laboratory, and must be performed by licensed environmental waste removal contractors. This is in addition to all other costs associated with law enforcement incident response. Federal grant funding has traditionally been used to assist in paying the cost of lab remediation. In 2010 there were 10,619 meth-related incidents nationwide that required remediation paid out of federal grant funding at a cost of \$17,929,160. In Michigan, there were 686 methamphetamine incidents requiring federal remediation funds, which cost \$1,137,279. In February 2011 federal budget cuts eliminated this money as a funding option for Michigan law enforcement agencies. Methamphetamine laboratory cleanup became the financial obligation of responding state and local agencies. In March of 2012 federal funding was restored but at a fraction of the original amount. In addition, the DEA advised that future funding would not continue to those states that did not implement an Approved Container Storage (ACS) Program.

The ACS program differs significantly from the traditional processing and cleanup of methamphetamine labs. The traditional method involved requesting a DEA contracted cleanup and disposal company for each individual laboratory/incident. The ACS program allows specially trained law enforcement responders to process, package, and transport waste to a temporary storage container. When that container is full, the DEA authorizes cleanout of that container by a contracted hazardous waste disposal company. Michigan's ACS program became operational on October 1, 2012, with eight container sites spread across the state. Since implementation, Michigan's ACS program has processed 421 labs/dumpsites/component seizures totaling 7,281 pounds of waste. There are 14 local law enforcement agencies participating in the program.

The pharmacy tracking of precursor chemicals may account for the recent evidence of trafficked, crystal methamphetamine in the state. There is not enough evidence to accurately determine the cause of imported product in the state but many of these seizures occur in metropolitan areas with a low number of personal-use lab seizures. It may be that established drug trafficking networks in metropolitan areas are able to satisfy local demand for methamphetamine along with other illicit substances that are imported from outside sources.

Most methamphetamine possession arrests are due to the transportation of personal use amounts of the drug by abusers in automobiles. Most of the evidence recovered during these arrests indicates locally produced methamphetamine. Michigan State Police Hometown Security Teams report the seizure of 7,088 grams of methamphetamine in passenger or commercial motor vehicles in 2012.

Public drug abuse treatment statistics show that methamphetamine use and abuse is the highest in the southwest portion of the state. These statistics are consistent with the discovery of the majority of methamphetamine operations in that part of Michigan. Methamphetamine abuse treatment falls behind other drugs of abuse including alcohol, cocaine, heroin, other opiates, and marijuana as a drug of choice in publicly funded treatment facilities although methamphetamine abusers are less likely than other drug abusers to seek treatment.

## **Recommendations**

Current methamphetamine initiatives are having a positive effect on traditional methods of local methamphetamine production in the state, as evidenced by the significant decrease in the number of anhydrous ammonia style laboratories, near elimination of Red Phosphorous laboratories (once a popular manufacturing method), and the necessity of manufacturers to change production methods and precursor acquisition strategies. There appear to be an adequate number of trained and certified methamphetamine laboratory responders in the state and methamphetamine users continue to diversify their efforts to obtain the drug by importing from outside sources due to law enforcement pressure. However, methamphetamine manufacturers continue to take advantage of loopholes in pseudoephedrine control policies by purchasing cold medicine from multiple pharmacies around the state and from out of state locations. Violators of pseudoephedrine policies frequently use false names on pharmacy logs which make the log books of limited use to investigators and do not serve as a deterrent to lab operators.

There is not enough data available to determine whether recent legislation requiring pharmacy tracking of precursor chemicals will have a significant impact on methamphetamine production and use in Michigan. Lawmakers should continue to support legislation aimed at closing loopholes in current policies and monitor trends in the manufacture, distribution, and possession of methamphetamine to determine whether recent legislative changes are effective.